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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

14 TOM SCOCCA, MADISON
SOCIETY, INC., and THE
15 CALGUNS FOUNDATION, INC.,

16 Plaintiffs.

vs.

19 SHERIFF LAURIE SMITH (In her
individual and official capacity.),
20 COUNTY OF SANTA CLARA, and
DOES 1 to 20,

Defendants.

Case No.: CV 11 01318 - EMC

STIPULATION AND ORDER FOR RELIEF FROM STAY

ORDER RESETTING FURTHER CMC
FROM 8/24/12 to 7/13/12 at 10:30 a.m.

24 The parties, by and through their counsel of record, hereby stipulate as
25 follows:

26 1. This Court entered an order on February 14, 2012 staying this action while
27 an en banc panel of the Ninth Circuit considered a case (*Nordyke v. King*,
28 Case No.: 07-15763) with possible ramifications in the instant action.

1 2. On June 1, 2012 the Ninth Circuit issued an opinion in *Nordyke v. King*, Case
2 No.: 07-15763.

3 3. The parties jointly request that the stay be lifted in this matter and that the
4 Court rule on the County Defendants' pending motion to dismiss without
5 further briefing or oral argument.

6 4. Additionally the parties request the resetting of a Joint Case Management
7 Conference so that due dates for discovery, further dispositive motions and/or
8 trial can be set.

9 Respectfully Submitted on June 6, 2012,

10 /s/
11 Melissa Kiniyalocots,
12 Counsel for Defendants

/s/
Donald Kilmer
Counsel for Plaintiffs

13 **ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND
14 LOCAL RULE VIII.B.**

15 I, Donald Kilmer, declare under penalty of perjury under the laws of California
16 and the United States that I have in my possession e-mail correspondence from
17 Melissa Kiniyalocots that the content of this document is acceptable to all persons
18 required to sign the document. I declare that this document was signed in San
19 Jose, CA on June 6, 2012.

20 /s/
21 Donald Kilmer for Plaintiffs

22 **ORDER**

23 Upon consideration of the parties stipulation and a review of the record, the
24 stay entered in this action on February 14, 2012 is lifted. The parties are ordered to
25 appear for a Joint Case Management Conference on: 7/13/12 at 10:30 a.m.
26 A Joint Case Management Conference Statement shall be filed on or before:
27 7/6/12.

28 Date: June 12, 2012

